

US.Pat.Apl.Nr: 09/872,990

Docket 347-01US

Remarks,  
responsive to O/A dated 09 December 2003

1. The undersigned, with Dr Owen Ward, attended an interview at the PTO 04 May 2004. (Note: the examiners Interview Summary omits to mention that Dr Ward was present)

At the interview, it was understood that the examiner recognised the synergistic effect that is a key factor in the invention. However, the examiner felt we had not sufficiently justified the numbers as recited in claim 1. That is to say, we had not justified why those particular numbers represented the limits within which the synergistic effect could be expected to occur.

Dr Ward's Declaration on this matter, which explains these factors, is being filed by hand delivery.

2. Regarding the claim amendments, claim 1 now recites that the sludge undergoes a transformation from non-pumpable to pumpable.

We emphasise that claim 1 is limited by the type of sludge being treated: claim 1 is limited to sludge that, prior to treatment, has a higher than 10%-solids concentration, and is non-pumpable.

We have also removed one of the alternatives from claim 1, i.e the (b)(ii) alternative. (Note that removing this alternative reduces the scope of the claim.) We have also deleted the sub-claims associated with (b)(ii).

Claim 1 now recites that the upper limit of pH is 11.5, rather than 12.5. Support for this comes from as-filed claim 12, which is amended accordingly.

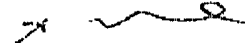
Claims 29,30 are now presented as method, rather than apparatus, claims.

New claims 31,32 contain features supported by as-filed claims 25-28.

3. For clarification, it is noted that claim 1 does not specify the order or sequence of some of the steps. Thus, claim 1 covers the case where, for example, the sludge is first raised to the high pH, and to the incubation temperature, whereupon the shearing step is then carried out -- and only after that is the step carried out of leaving the sludge at the raised pH, and at the temperature of 10°C to 37°C, for at least one day.

4. In view of the amendments, and the basis/support for the numerically-expressed limitations in claim 1 in Dr Owen's Declaration, we now look forward to receiving a Notice of Allowance in this case.

Submitted by:

  
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